

REMARKS

Claims 3-14 are pending in the present application. Claim 4 has been amended herein. Claim 14 has been added herein.

I. FORMAL MATTERS

Applicant notes with appreciation the Examiner's indication that the drawing filed on November 3, 2000 are acceptable.

Applicant submitted an Information Disclosure Statement on July 25, 2003. Applicant respectfully requests the Examiner to send to the undersigned a copy of the PTO Form 1449 submitted therewith with each reference initialed by the Examiner in the next communication from the Examiner.

II. PRIOR ART REJECTIONS

A. Claims 3-7 and 12

Claims 3-7 and 12 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,175,172 (Bakholdin). This rejection is traversed.

Applicant respectfully submits that Bakholdin does not teach or suggest a web section that has a substantially constant thickness, as recited by claim 4, on which claims 3-7 and 12 depend. Rather, the hub 22 of Bakholdin is tapered, as shown in Figs. 3 and 4B of Bakholdin. This configuration of the present invention, which is shown in Fig. 4 of the present invention, results in a hub that is easy to manufacture.

Since Bakholdin does not teach or suggest each and every element of claims 3-7 and 12, Applicant respectfully submits that these claims are not anticipated by Bakholdin. Therefore, Applicant submits that the rejection of claims 3-7 and 12 under 35 U.S.C. § 102(e) is overcome.

Since Bakholdin does not suggest the above-mentioned feature of claims 3-7, and 12, Applicant submits that none of the pending claims would have been obvious over Bakholdin. In fact, Bakholdin teaches that the tapered hub 22 having a thickness that decreases with increasing radius "advantageously provides a nearly constant stress at each point along the radius [of the hub]." See column 7, lines 60-66. Therefore, Bakholdin **teaches away** from a substantially constant thickness, and would not have been obvious (see MPEP § 2145 X., D., 2).

B. Claims 8-11

Claims 8-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bakholdin. This rejection is traversed.

As presented above, Applicant submits that Bakholdin does not teach or suggest several features of claim 4, on which claims 8-11 depend. Therefore, claims 8-11 would not have been obvious over Bakholdin.

Even assuming, *arguendo*, that Bakholdin teaches the features of claim 4, it would not have been obvious to modify the device of Bakholdin to include the features of claims 8-11 because there is no teaching or suggestion to do so. The Examiner asserts that it would have been obvious to change the dimensions of the flywheel and hub of Bakholdin to fit into a smaller space, or to store more energy. The dimensions recited in claims 8-11 are critical to the operation of the hub defined in these claims. Since the configuration of the hub of Bakholdin is substantially different than the hub of the present invention, it would not have been obvious to modify the device of Bakholdin to include the features of claims 8-11. For example, since the hub of Bakholdin includes a tapered hub 22 having a thickness that decreases with increasing radius, as presented above, adding the features of claims 8-11 to the hub of Bakholdin would not create the advantages as in the present invention. Therefore, such a modification is only the result of hindsight, which is not permissible (see MPEP

§ 2145). Therefore, Applicant submits that the rejection of claims 8-11 under 35 U.S.C. § 103(a) is improper.

C. Claim 13

Claim 13 is not rejected to or objected to in the Office Action dated July 8, 2003. Applicant respectfully requests the Examiner to indicate the status of claim 13.

D. New Claim 14

Applicant submits that claim 14 is patentable over the cited and applied prior art for the reasons presented above with respect to claim 4. Further, Applicant submits that none of the cited and applied prior art teaches or suggests hub having a central core which has a predetermined length whereby a predetermined minimum amount of the central core remains in tight interference fit with the shaft during operation of the hub, as recited by new claim 14. Therefore, Applicant submits that claim 14 is patentable over the cited and applied prior art.


Based on the foregoing, Applicant submits that the present application is in condition for allowance. If the Examiner has any questions, or believes that a telephone conference would expedite the prosecution of the present application, Applicant respectfully requests the Examiner to contact the undersigned at the telephone number listed below.

Applicant petitions for a three-month extension of time under 37 C.F.R. Section 1.136 and includes with this response the appropriate fees therefor.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

Date: January 8, 2004
Customer No.: 21874

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